

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

EDGE CAPTURE L.L.C., and EDGE  
SPECIALISTS, L.L.C.,

Plaintiffs,

V.

BARCLAYS BANK PLC, BARCLAYS  
CAPITAL INC., UBS AG, UBS  
FINANCIAL SERVICES INC., UBS  
SECURITIES, L.L.C., WOLVERINE  
TRADING, L.L.C., AND WOLVERINE  
EXECUTION SERVICES, L.L.C.,

Defendants.

Civil Action No. 09-CV-1521

## JURY TRIAL DEMANDED

Judge Charles R. Norgle, Sr.

Magistrate Judge Denlow

**THE PARTIES' JOINT MOTION TO MODIFY THE CASE SCHEDULE, IN PART, TO STAY THE DEADLINES IN THE AGREED SCHEDULING ORDER (D.E. 178) FOR EVENTS COVERED BY LPR 2.2 – 2.5 UNTIL THE COURT RULES ON PLAINTIFFS' MOTIONS TO COMPEL 2.1(b)(1) INITIAL DISCLOSURES FROM THE BARCLAYS, UBS, AND WOLVERINE DEFENDANTS (D.E. 191 AND D.E. 197)**

All parties jointly bring this motion pursuant to Fed. R. Civ. P. 16(b)(4) to modify the case schedule (D.E. 178), in part, by staying the events covered by LPR 2.2 – 2.5 until the Court rules on Edge’s pending motions to compel LPR 2.1(b)(1) Initial Disclosures from the Barclays, UBS, and Wolverine Defendants (D.E. 191 and D.E. 197). The specific deadlines in the Agreed Case Schedule (D.E. 178) jointly requested to be stayed are:

<b>EVENT</b>	<b>PRESENT DEADLINE (D.E. 178)</b>	<b>PROPOSED DEADLINE</b>
LPR 2.2 Initial infringement Contentions	July 20, 2011	If one or more defendant is ordered to produce additional initial disclosure documents: two weeks (14 days) after the deadline to comply with the Court’s order. <b>OR</b> If no defendant is ordered to produce additional initial disclosure documents: two weeks (14 days) after the Court denies Edge’s motion(s) to compel.
LPR 2.3 Initial Non-Infringement, Unenforceability and Invalidity Contentions (“LPR 2.3 Contentions”)	August 24, 2011	Five weeks (35 days) after the deadline for the LPR 2.2 Initial infringement Contentions.
LPR 2.4 Document Production Accompanying Initial Invalidity Contentions	August 24, 2011	Five weeks (35 days) after the deadline for the LPR 2.2 Initial infringement Contentions.
LPR 2.5 Initial Response To Invalidity Contentions	September 21, 2011	Four weeks (28 days) after the deadline for the LPR 2.3 Contentions

Good cause exists to stay the above deadlines. Because Edge disputes whether Barclays, UBS, and Wolverine have each satisfied their disclosure obligations under LPR 2.1(b)(1), Edge filed its motions to compel full and complete LPR 2.1(b)(1) Initial Disclosures from the defendants (D.E. 191 and D.E. 197). According to Edge, it filed the motions to obtain the information it needs to prepare meaningful LPR 2.2 Initial Infringement Contentions. Accordingly, Edge further requested in its motions that, if the Court rules in Edge’s favor, the deadline for its LPR 2.2 Initial Infringement

Contentions be extended from July 20, 2011 to fourteen (14) days after the defendants have complied with any Court order regarding their obligations under LPR 2.1(b)(1).

The Court's briefing schedule for the pending motion to compel against Barclays and UBS extends beyond the July 20, 2011 deadline for Edge to serve its LPR 2.2 Initial Infringement Contentions (*see* D.E. 194); presumably, the briefing schedule for the pending motion against Wolverine will also extend beyond July 20, 2011. Although the defendants will oppose the motions to compel, the parties agree that the Court should stay the July 20, 2011 deadline for Edge to serve its LPR 2.2 Initial Infringement Contentions until the Court has ruled on the motions.

The parties further agree that because the events covered by LPR 2.2, 2.3, 2.4, and 2.5 are tied together and are intended to be carried out in that order, the deadlines for LPR 2.3, 2.4, and 2.5 also should be stayed until the Court rules on Edge's pending motions to compel. As the case progresses, the parties agree to evaluate and reasonably accommodate additional proposed changes to the case schedule that may be warranted as a result of this extension.

Dated: July 14, 2011      Respectfully submitted,

By: /s/ Sang Young Brody

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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on July 14, 2011, he caused a true and correct copy of **THE PARTIES' JOINT MOTION TO MODIFY THE CASE SCHEDULE, IN PART, TO STAY THE DEADLINES IN THE AGREED SCHEDULING ORDER (D.E. 178) FOR EVENTS COVERED BY LPR 2.2 – 2.5 UNTIL THE COURT RULES ON PLAINTIFFS' MOTIONS TO COMPEL 2.1(b)(1) INITIAL DISCLOSURES FROM THE BARCLAYS, UBS, AND WOLVERINE DEFENDANTS (D.E. 191 AND D.E. 197)** to be served on the below parties through the CM/ECF system:

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